

EUROPEAN COURT OF HUMAN RIGHTS
COUR EUROPÉENNE DES DROITS DE L'HOMME

FIRST SECTION

DECISION

Application no. 25120/20
Roberto MAMBELLI against Italy
and 11 other applications
(see appended table)

The European Court of Human Rights (First Section), sitting on 25 November 2021 as a Committee composed of:

Erik Wennerström, *President,*
Lorraine Schembri Orland,
Ioannis Ktistakis, *judges,*

and Viktoriya Maradudina, *Acting Deputy Section Registrar,*

Having regard to the above applications lodged on the various dates indicated in the appended table,

Having regard to the declarations submitted by the respondent Government requesting the Court to strike the applications out of the list of cases, and the applicants' replies to these declarations,

Having deliberated, decides as follows:

FACTS AND PROCEDURE

The list of applicants is set out in the appended table.

The applicants' complaints under Article 6 § 1 of the Convention and Article 1 of Protocol No. 1 concerning the non-enforcement or delayed enforcement of domestic decisions were communicated to the Italian Government ("the Government").

The Government submitted declarations with a view to resolving the issues raised by these complaints. They further requested the Court to strike out the applications.

The Government acknowledged the non-enforcement or delayed enforcement of domestic decisions. They offered to pay the applicants the amounts detailed in the appended table and invited the Court to strike the applications out of the list of cases in accordance with Article 37 § 1 (c) of the Convention. The amounts would be payable within three months from the date of notification of the Court's decision. In the event of failure to pay these

amounts within the above-mentioned three-month period, the Government undertook to pay simple interest on them, from the expiry of that period until settlement, at a rate equal to the marginal lending rate of the European Central Bank during the default period plus three percentage points. The Government also undertook to ensure the enforcement of the domestic decisions under consideration in the cases concerned (see appended table) within the same three-month period, where the final judgments have remained unenforced.

The payment and, where relevant, the enforcement of the domestic decisions in the cases concerned will constitute the final resolution of the cases.

The applicants informed the Court that they agreed to the terms of the declarations.

THE LAW

Having regard to the similar subject matter of the applications, the Court finds it appropriate to examine them jointly in a single decision.

The Court finds that, following the applicants' express agreement to the terms of the declaration made by the Government, the cases should be treated as a friendly settlement between the parties.

It therefore takes note of the friendly settlement reached between the parties. It is satisfied that the settlement is based on respect for human rights as defined in the Convention and the Protocols thereto and finds no reasons to justify the continued examination of the applications.

In view of the above, it is appropriate to strike the cases out of the list.

For these reasons, the Court, unanimously,

Decides to join the applications;

Decides to strike the applications out of its list of cases in accordance with Article 39 of the Convention.

Done in English and notified in writing on 16 December 2021.

Viktoriya Maradudina	Erik Wennerström
Acting Deputy Registrar	President

APPENDIX

List of applications raising complaints under Article 6 § 1 of the Convention and Article 1 of Protocol No. 1 (non-enforcement or delayed enforcement of domestic decisions)

No.	Application no. Date of introduction	Applicant's name Year of birth	Representative's name and location	Relevant domestic decision	Date of receipt of Government's declaration	Date of receipt of applicant's acceptance	Amount awarded for non-pecuniary damage per applicant (in euros)[1]	Amount awarded for costs and expenses per application (in euros)[2]
1.	25120/20 15/06/2020	**Roberto MAMBELLI** 1963	Di Battista Giovanni Rome	Perugia Court of Appeal R.G. 1270/2012, 29/08/2017	29/09/2021	11/10/2021	200	30
2.	25125/20 15/06/2020	**Ivana ALESSANDRINI** 1960	Di Battista Giovanni Rome	Perugia Court of Appeal R.G. 1270/2012, 29/08/2017	29/09/2021	11/10/2021	200	30
3.	25174/20 18/06/2020	**Benedetto VITALI** 1945	Di Battista Giovanni Rome	Perugia Court of Appeal R.G. 1270/2012, 29/08/2017	29/09/2021	11/10/2021	200	30
4.	25331/20 16/06/2020	**Umberto COLITTI** 1960	Di Battista Giovanni Rome	Perugia Court of Appeal, R.G. 1270/2012, 29/08/2017	29/09/2021	11/10/2021	200	30
5.	25733/20 15/06/2020	**Claudio PASSARELLI** 1951	Di Battista Giovanni Rome	Perugia Court of Appeal R.G. 1270/2012, 29/08/2017	29/09/2021	11/10/2021	200	30

No.	Application no. Date of introduction	Applicant's name Year of birth	Representative's name and location	Relevant domestic decision	Date of receipt of Government's declaration	Date of receipt of applicant's acceptance	Amount awarded for non-pecuniary damage per applicant (in euros)[1]	Amount awarded for costs and expenses per application (in euros)[2]
6.	26840/20 22/06/2020	**Iside RUSCITTI** 1955	Di Battista Giovanni Rome	Perugia Court of Appeal R.G. 1270/2012, 29/08/2017	29/09/2021	11/10/2021	200	30
7.	42148/20 18/09/2020	**Silvestro CERVERA** 1969	Pasquariello Gianpiero Caserta	Rome Court of Appeal R.G. 51396/17, 19/12/2017	29/09/2021	15/10/2021	200	30
8.	42153/20 18/09/2020	**Paolo ALBANESE** 1972	Pasquariello Gianpiero Caserta	Naples Court of Appeal R.G. 2027/2017, 05/01/2018	29/09/2021	15/10/2021	200	30
9.	42165/20 18/09/2020 (4 applicants)	**Nicola MARRANDINO** 1956 **Mario MARRANDINO** 1958 **Margherita FIORENTINO** 1962 **Marcella PALMIERI** 1959	Pasquariello Gianpiero Caserta	Perugia Court of Appeal R.G. 5390/2012, 25/05/2017	29/09/2021	15/10/2021	200	30

No.	Application no. Date of introduction	Applicant's name Year of birth	Representative's name and location	Relevant domestic decision	Date of receipt of Government's declaration	Date of receipt of applicant's acceptance	Amount awarded for non-pecuniary damage per applicant (in euros)[1]	Amount awarded for costs and expenses per application (in euros)[2]
10.	42168/20 18/09/2020 (2 applicants)	**Antonio MOTTOLA** 1954 **Mario MOTTOLA** 1959	Pasquariello Gianpiero Caserta	Naples Court of Appeal R.G. 2083/18, 09/05/2019	29/09/2021	15/10/2021	200	30
11.	8482/21 29/01/2021	**Daniela ALI'** 1975	Riello Piero Caserta	Naples Court of Appeal R.G. 1581/2018, 07/08/2018	29/09/2021	14/10/2021	200	30
12.	11343/21 13/02/2021	**Brigida PELOSI** 1966	Pulcino Teresina San Lupo	Naples Court of Appeal R.G. 1960/2017, 16/01/2018	29/09/2021	28/10/2021	200	30

[1] Plus any tax that may be chargeable to the applicants.
[2] Plus any tax that may be chargeable to the applicants.